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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

12/18/2003 EFLORES 00000041 061205 10736545

01 FC:1001		770.00	OP
02 FC:1201		430.00	OP
03 FC:1202		144.00	OP
04 FC:1203	10.00	280.00	OP

~~03/30/2004 BHABTEW 00000001 061205 10736545~~

~~01 FC:1201 86.00 DA~~

Adjustment date: 07/15/2004 EEKUBAY1
~~03/30/2004 BHABTEW 00000001 061205 10736545~~
01 FC:1201 86.00 CR

PTO-1556
(5/87)



STATUS
EXAMINER
2004 MAY 25 PM 4:26

Dep't Ref
#307

03500.017338

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASAHIRO KAWAGUCHI ET AL.)
Application No.: 10/736,545)
Filed: December 17, 2003)
For: DNA MICRO-ARRAY HAVING)
STANDARD PROBE AND KIT)
INCLUDING THE ARRAY)
Examiner: Not Yet Assigned
Group Art Unit: 1645
May 20, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$86.00 for independent claims in excess of three, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On December 17, 2003, Applicants filed a Utility Patent Application Transmittal (see attached copy of the Transmittal and a postcard acknowledging receipt of the filing fee). At that time, Applicants paid for the basic filing fee with 28 claims (144.00) and 8 independent claims (5 in excess of 3 - \$420.00), the basic filing fee (\$770.00), and a multiple dependent claims fee (\$290.00), for a total filing fee of \$1,624.00.

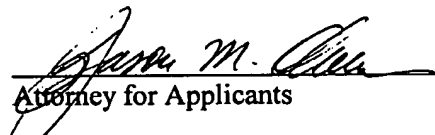
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The official filing receipt issued by the Patent Office indicates that there are nine (9) independent claims. Consequently, the Patent Office charged Deposit Account 06-1205 an \$86.00 fee for the ninth independent claims, as indicated in a Monthly Statement of Deposit Account, dated March 31, 2004, (copy attached). Since, in fact, there are only eight (8) independent claims in the subject application as originally filed (Claims 1, 2, 8, 11, 13, 14, 20, and 26), a refund of \$86.00 is due to Applicants.

Accordingly, Applicants hereby request a refund and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$86.00 to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants
Registration No. 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 428080v1



STATUS AND
REASON


MAY 25 PM 4:26

Mail Stop Pat App.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date 12 / 17 / 03
Mo. Day Yr.
Atty. Docket 03520, 017338

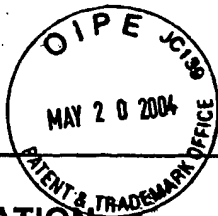
Sir:

Kindly acknowledge receipt of the accompanying:

- ☒ Specifications, claims and abstract 61 pages, with Transmittal Form
- ☒ Patent Application Bibliographic Data Sheet 3 sheets
- ☒ Executed Oath or Declaration and Power of Attorney
- ☒ 4 Sheets of ✓ formal informal drawings 22390 U.S. PTO
- ☒ Check for \$ 1624.00 (filing fee) 10/736545
- ☐ Request for Continued Examination and Check for \$
- ☒ Assignment, PTO-1595 and Check for \$ 40.00 
- ☐ Transmittal Under 37 CFR 1.53(d) (CPA) 121703
- ☐ Petition under 37 CFR 1.136 and check for \$
- ☒ Other (specify) IDS w/ 12 refs; Submission of CREF w/ disk - paper

by placing your receiving date stamp hereon and mailing or returning to deliverer.
This is a ☒ Continuation ☐ Divisional ☐ Continuation-In-Part
Atty. JMD Due Date 2 / 24 / 04
Mo. Day Yr.
37 CFR 1.8 ☐
37 CFR 1.10 ☐
By Hand JMD

FD-35-A-00

STATUS AND EX-CT
BRANCH

2004 MAY 25 PM 4:26

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

03500.017338

First Named Inventor or Application Identifier

MASAHIRO KAWAGUCHI ET AL.

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☐ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification Total Pages
4. ☒ Drawing(s) (35 USC 113) Total Sheets
5. ☒ Oath or Declaration Total Pages
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed Statement attached deleting
inventor(s) named in the prior application, see
37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ paper
- c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other: _____

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:



Continuation



Divisional

Continuation-in-part (CIP) of prior application No. PCT/JP03/07918

Prior application information:

Examiner _____

Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

05514

(Insert Customer No. or Attach bar code label here)

or ☐

Correspondence address below

NAME

Address

City

State

Zip Code

Country

Telephone

Fax

STATUS: **FILED**
BRANCH:

2001 MAY 25 PM 4: 26



CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	28-20 =	8	X \$ 18.00 =	\$ 144.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	8-3 =	5	X \$ 86.00 =	\$ 420.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			\$290.00 =	\$ 290.00
				BASIC FEE (37 CFR 1.16(a))	\$ 770.00
			Total of above Calculations =		\$1,624.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
TOTAL =					\$1,624.00

19. Small entity status

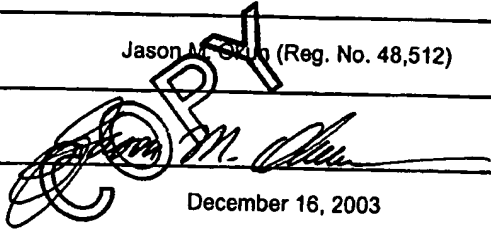
- a. ☐ A small entity statement is enclosed
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

20. ☒ A check in the amount of \$ 1,624.00 to cover the filing fee is enclosed.

21. ☒ A check in the amount of \$ 40.00 to cover the recordal fee is enclosed.

22. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1205:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME	Jason M. Sklar (Reg. No. 48,512)
SIGNATURE	
DATE	December 16, 2003



UNITED STATES
PATENT AND
TRADEMARK OFFICE



STATUS AND BRANCH

2004 MAY 25 PM 4:27

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

FITZPATRICK CELLA HARPER & SCINTO

FINA

30 ROCKEFELLER PLAZA

NEW YORK NY 10112-3801

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

Account No.	061205
Date	3-31-04
Page	4

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
3	29	04	52		02280.002820	8014	25.00	56187.00
3	29	04	69	10809460	00862.023521	9204	-54.00	56241.00
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AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					41465.00	14381.00	27257.00	54341.00